

RCS# 3397  
12/17/01  
10:55 AM

Atlanta City Council

Regular Session

01-O-0244

Override Veto; Grant or deny liquor  
license within 90 days  
PROCEDURE

YEAS: 9  
NAYS: 1  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 5

FAILED

Y McCarty	B Dorsey	Y Moore	Y Thomas
Y Starnes	B Woolard	N Martin	Y Emmons
Y Bond	Y Morris	B Maddox	Y Alexander
B Winslow	Y Muller	B Boazman	NV Pitts

01-O-0244



CITY OF ATLANTA

BILL CAMPBELL  
MAYOR

RECEIVED  
DEC 13 2001  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
ATLANTA, GEORGIA 30335-0300  
(404) 330-6100

December 12, 2001

Council President Robb Pitts  
Members of the Atlanta City Council  
City Hall 2<sup>nd</sup> Floor Suite 2900  
55 Trinity Avenue, SW  
Atlanta, Georgia 30335

Dear President Pitts and Members of Council:

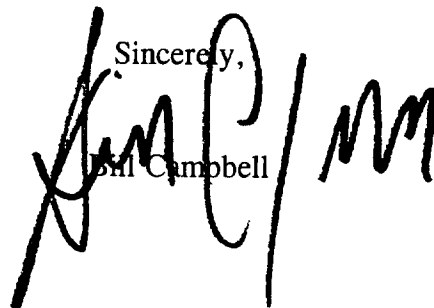
I hereby return with my veto, Ordinance # 01-O-0244

On December 3, 2001 the Atlanta City Council adopted Ordinance # 01-O-0244 which calls for the Mayor to grant or deny any alcoholic beverage license application within ninety (90) calendar days of receipt from the License Review Board; and for other purposes.

I understand the pain staking manner of making difficult decisions about the fate of businesses that seek alcoholic beverage licenses and the effect on communities in which they attempt to locate. In my judgement, there are instances where final decisions require careful and deliberate review before informed conclusions could be drawn. Requiring the Mayor to make a decision in an arbitrary time frame will not properly serve the best interest of the affected parties.

For the aforementioned reasons, I have vetoed this piece of legislation.

Sincerely,

  
Bill Campbell

**A SUBSTITUTE ORDINANCE BY  
PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, CHAPTER 10, ARTICLE II, DIVISION 2, SECTION 10-66, TO REQUIRE THE MAYOR TO GRANT OR DENY ANY ALCOHOLIC BEVERAGE LICENSE APPLICATION WITHIN NINETY (90) CALENDAR DAYS OF RECEIPT FROM THE LICENSE REVIEW BOARD; AND TO GIVE THE MAYOR THE ABILITY TO REMAND AN ALCOHOLIC BEVERAGE LICENSE APPLICATION TO THE LICENSE REVIEW BOARD FOR FURTHER HEARING; AND FOR OTHER PURPOSES.**

WHEREAS, Chapter 10 of the Code of Ordinances City of Atlanta, Georgia, requires an applicant for an alcoholic beverage license to adhere to a strict and fully defined process for an alcoholic beverage license; and

WHEREAS, it is within the best interest of the city to consider applications pertaining to alcohol permitting and licensing within a reasonable time period.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby ordains as follows:

**Section 1:** That Chapter 10, Article II, Division 2, Section 10-66 of the Code of Ordinances of the City of Atlanta is hereby amended by deleting and moving the current language of existing subsection (b) to a new subsection to be created as subsection (c), and to insert in lieu thereof the following language so that subsection (b) reads as follows:

(b) The mayor shall deny, grant, or remand to the license review board, any alcoholic beverage license application within ninety (90) calendar days of receipt of a recommendation from the license review board. Upon review of the license review board's recommendation and/or the record created during the license review board hearing, if the mayor determines there exists the need to correct a clear error or prevent a manifest injustice, the mayor may remand the application back to the license review board for further hearing. In remanding the application back to the license review board, the mayor shall provide written instructions to the license review board and the license and permits unit of

the Atlanta Police Department identifying specific issues and/or matters the mayor requires the license review board to conduct further hearing upon. An alcoholic beverage license applicant shall be provided with a five (5) day written notice stating the specific issues and/or matters to be addressed on remand, along with the place, date and time of the remand hearing. All applications remanded to the license review board shall be scheduled for further hearing before the license review board no later than thirty (30) days after the date of remand. If the mayor does not make a decision to grant or deny an application within the ninety (90) calendar days provided, and does not choose to remand the application to the License Review Board, the application shall be automatically approved.

**Section 2:** That Chapter 10, Article II, Division 2, Section 10-66 of the Code of Ordinances of the City of Atlanta is hereby amended by creating a new subsection (c) containing the current language of pre-existing subsection (b).

**Section 3:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

RCS# 3388  
12/04/01  
1:11 AM

Atlanta City Council

Committee of the Whole

01-O-0244

Mayor to grant or deny liquor  
applications within 90 days  
APPROVE

YEAS: 9  
NAYS: 3  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

Y McCarty	NV Dorsey	Y Moore	NV Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	NV Morris	Y Maddox	N Alexander
N Winslow	Y Muller	N Boazman	NV Pitts

CORRECTED COPY

01-O-0244

01-0244

Do Not Write Above This Line

AN ORDINANCE

BY PUBLIC SAFETY COMMITTEE

AN ORDINANCE TO AMEND SECTION 10-66 OF THE CODE OF ORDINANCES TO CALL FOR THE MAYOR TO GRANT OR DENY ANY LIQUOR APPLICATIONS WITHIN EIGHT (8) CALENDAR DAYS OF RECEIPT FROM THE LICENSE REVIEW BOARD.

ADOPTED BY  
DEC 03 2001

COUNCIL

Substitute Vice Mayor

- ☒ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred 2/19/01

Referred To: Public Safety & Legal Administration

Date Referred

Referred To:

Date Referred

Referred To:

Committee First Reading  
Date 2/27/01  
Chair C. T. Moore  
Referred to

Committee  
PS + CH

Date 2/27/01

Chair C. T. Moore

Action:  
Fav, Adv, Hold (see rev. side)  
Other:

Members:  
3/13/01 9/14/01  
3/27/01 11/19/01  
4/12/01  
5/15/01  
5/29/01  
Refer To 6/24/01

Committee

Date

Chair

Action:  
Fav, Adv, Hold (see rev. side)  
Other:

Members

Refer To

Committee

Date

Chair

Action:  
Fav, Adv, Hold (see rev. side)  
Other:

Members

Refer To

CERTIFIED

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd
- ☐ Consent ☐ V Vote ☐ RRC Vote

CERTIFIED  
DEC 3 2001

ATLANTA CITY CLERK

CERTIFIED  
DEC 03 2001

SENIOR MUNICIPAL CLERK

MAJOR'S ACTION

DEC 12 2001

Handwritten signature and date

01-0-0244

Do Not Write Above This Line)

AN ORDINANCE  
BY PUBLIC SAFETY COMMITTEE

AN ORDINANCE TO AMEND  
SECTION 10-66 OF THE CODE OF  
ORDINANCES TO CALL FOR THE  
MAYOR TO GRANT OR DENY ANY  
LIQUOR APPLICATIONS WITHIN  
EIGHT (8) CALENDAR DAYS OF  
RECEIPT FROM THE LICENSE  
REVIEW BOARD.

12/17/01 - Special Council Meeting  
Motion to Override Mayor's  
Veto FAILED by roll call vote

ADOPTED BY  
DEC 03 2001

Substitute  
COUNCIL  
Vote

- ☒ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred 2/19/01

Referred To: Public Safety & Legal Administration  
Date Referred

Referred To:

Date Referred

Referred To:

First Reading  
Committee P.S. & L.A.  
Date 2/27/01  
Chair C. T. M...  
Referred to

Committee  
P.S. & L.A.

Date 2/27/01

Chair C. T. M...

Action:  
Fav, Adv, Hold (see rev. side)  
Other:

Members:  
3/13/01 19/4/01  
3/27/01 11/19/01  
4/12/01  
5/15/01  
5/29/01

Refer To  
6/24/01

Committee

Date

Chair

Action:  
Fav, Adv, Hold (see rev. side)  
Other:

Members

Refer To

Committee

Date

Chair

Action:  
Fav, Adv, Hold (see rev. side)  
Other:

Members

Refer To

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☐ Consent ☐ V Vote ☐ RRC Vote

CERTIFIED

CERTIFIED  
DEC 3 2001

CERTIFIED  
DEC 03 2001

CERTIFY MUNICIPAL CLERK

MAJOR'S ACTION

DEC 12 2001

Signature